

MINUTES OF THE PLANNING COMMISSION MEETING HELD ON MARCH 15, 2006,  
AT 5:00 P.M. IN THE COTTONWOOD HEIGHTS CITY COUNCIL CHAMBER.

**Members Present:** Tom Bowen, Sue Ryser, Geoff Armstrong, Jim Keane, Amy Rosevear, Doug Haymore, Jerri Harwell, Jerri Harwell

**Members Excused:** Gordon Nicholl

**Staff Present:** Planning Manager Michael Black, Community Development Director Kevin Smith, City Attorney Shane Topham, Associate Planner Glenn Symes, City Recorder Linda Dunlavy

**Others Present:** Rick Goebel, Roy Tillman, Nancy Walker, Corinne Wunderli, Earl Wunderli, Marsha Gilford, Joseph Scott, Tony Crampo, Connie Minen, Jack Keller, Brad Duckworth, Scott Latimer, Stacey Mayberry, Bob Taylor, Sylvia Anderson, Wayne Knudren, John Clawson, David & Amy Nance, Gary & Jill Magee, John Clawson

1. **Public Comment**

No public comment was given.

2. **Public Hearing – Zone Change Application for Destination Day Care**

Mr. Symes stated that Destinations Daycare is located at 7167 S. Highland Drive. The applicant is requesting a zone change from R-1-8 to CR zone (Regional Commercial) which is consistent with the General Plan designation and is consistent with the current use of the property. Staff recommended approval of this application.

**Chair Bowen opened the Public hearing.**

No comments were received

**Chair Bowen closed the Public Hearing**

Ms. Rosevear moved to approve the zone change for Destination Daycare to a CR zone.

3. **Public Hearing – Proposed Ordinance Amending Section 14.12.130 regarding Private Roads in subdivisions**

Mr. Black explained that the proposed amendment would amend Section 14.12.130 of the Cottonwood Heights Municipal Code. Staff has discovered that the ordinance amendment is desirable to allow private roads in subdivisions with lots ½ acre or larger in the City without requiring a PUD (Planned Unit Development). The proposed ordinance amendment will not be detrimental to the health, safety, or general welfare of persons in the City; and, the application complies with the provisions governing the proposed amendment in the Cottonwood Heights Municipal Code. For this reason, staff recommends the planning commission review and recommend approval of the proposed ordinance to the City Council.

**Chair Bowen opened the Public hearing.**

No comments were given.

**Chair Bowen closed the Public hearing.**

**MOTION:** Mr. Haymore moved to approve the changes proposed by staff to Section 14.12.130, regarding private roads as follows:

**14.12.130 Private roadways.**

- A. The width of all private roadways shall consist of a minimum of 20 feet of unobstructed travel surface. Roadways shall be 25 feet wide where they form cul-de-sacs greater than 500 feet in length. Short sections may be reduced to preserve trees or other features as approved by the fire department.
- B. All surfaces shall consist of an approved design capable of carrying 24-ton vehicles.
- C. Except as modified by subsections A and B of this section, all private roadways shall comply with the requirements of this chapter.
- D. Each and every owner of any interest in a private roadway shall be jointly and severally responsible for the maintenance and re-pairs to the roadway. The city shall have no responsibility or liability for the maintenance of or repair to any private roadway. Each private roadway shall be maintained in a manner which allows easy access and passage of emergency vehicles throughout the entire length of the roadway.
- E. Any building lot that is located outside a planned unit development, which fronts on a private roadway with at least 25 feet of paved surface, shall have a minimum lot

area of one-half acre. The minimum distance from the center of such roadway to the front building line on such a lot shall be 50 feet.

- F. Gated access to private roadways is subject to prior city approval, and shall be considered by the city's planning commission on a case-by-case basis. Proposed gated access shall be subject to any minimum standards for such gateways adopted by the city, and to design review by the city's architectural review commission.

Motion was seconded by Mr. Armstrong and passed 7 – 1, with Ms. Rosevear voting no.

**4. Action Item – Compatibility Statement**

Mr. Black explained that car washes are currently not listed as a permitted or conditional use in the CR zone. The proposed ordinance would require that the Planning Commission review all requests of this nature.

The proposed ordinance reads as follows:

It is recognized that new types of land uses may develop and various forms of land uses not anticipated may seek to locate in the city. The provisions of this section shall provide a mechanism to classify land uses not listed in this title. Determination as to the classification of uses not specifically listed in this title shall be made as outlined in Section 19.76.030.

**Chair Bowen opened the public hearing.**

No comments were given.

**Chair Bowen closed the public hearing.**

**MOTION:** Mr. Keane moved to continue this item until April 19, 2006 to obtain additional information.

The motion was seconded by Mr. Armstrong and passed unanimously on voice vote.

**5. Discussion Item – General Plan**

Mr. Black gave an update on the General Plan and explained to the Commissioners that the City has received input from citizens regarding potential changes to the General Plan. A list of property addresses with the owners' preference was reviewed. The following properties were discussed:

**Chair Bowen opened the public hearing.**

- 1.) Joyce Shell, 8088 S. Highland Drive, has asked that this property remain zoned Neighborhood Commercial.

Sylvia Andersen, Coldwell Banker, representing the Shells, spoke in favor of keeping the property zoned Mixed Use or Neighborhood Commercial.

John Clawson, President, Forest Bend Property Association, spoke on behalf of the homeowners and stated they would like to see a more restrictive zone.

Nancy Walker, Hunters Meadow Circle, stated that the Neighborhood Commercial zone designation is too broad and needs to be adjusted for this particular area.

- 2.) Brad Duckworth, 7996 Eldon Way, inquired about rumors that UDOT was putting in a road on the westside of Highland Drive.

Mr. Black stated that he has no knowledge of this and that to his knowledge this item does not appear on the City's Capital Facility Plan. He recommended that Mr. Duckworth contact Kevin Smith.

- 3.) Garry Kershaw, 8052 S. Highland Drive, has asked to change the zone from Neighborhood Commercial to a hybrid that would allow for such things as a bed and breakfast or small reception centers.

- 4.) Lynn Nielsen, 7921 S. Highland Drive, has asked to change the zone from Low Density Residential to Neighborhood Commercial. This would allow her to have a bed and breakfast or reception center.

Marsha Gilford, 7951 S. Sample Cove, is opposed to changing the zone.

- 5.) Jack Keller, 7800 S. East of Honeywood Cove, has asked to change the zone from LD to RM or MD.
- 6.) Kelli Lundgren, 1395 E. Creek Road, has asked to change the zone from RR to LD. This would allow for a Planned Unit Development.
- 7.) Staff initiated, Creek Road zoning of Rural Residential to Low Density.
- 8.) Joseph Scott, Bengal Blvd. 3300 E. to 3500 E., has asked to change the zone from Low Density to Medium Density Residential. This would allow twin homes to be built.
- 9.) David Thayne, 7035 S. Towncrest Drive, has asked to change the zone from Low Density Residential to Mixed Use or Neighborhood Commercial.

Ray Dillman, 2180 E. Fort Union Blvd., would like to purchase the property at 7035 S. Towncrest to add on to his business.

Glen Parker, Exit Realty, is in favor of the change in zoning of the Towncrest property.

- 10.) Keith Bessinger, 3200 E. Big Cottonwood Canyon Road, has asked to change the zone from Low Density Residential to Neighborhood Commercial. This would allow him to expand his business.
- 11.) Gary McGee, 9200 S. Wasatch Blvd., has asked to change the zone from Low Density Residential to Rural Residential.

Jill McGee, Big Rock Lane, noted that this change would help protect the integrity of the area by creating larger lots.

- 12.) Staff initiated, 8282 S. Wasatch Blvd., would like to change the sensitive land designation to allow the land to be developed.
- 13.) Staff initiated, 7200 South and Highland Drive, proposed to change the zone from Low Density to Commercial
- 14.) 1505 East and Fort Union, proposed to change the zone from Low Density to Neighborhood Commercial.

Chair Bowen closed the public hearing.

**6. Capital Facility Gateway Monument Sign**

Mr. Black showed the proposed design for the monument sign for the City's Gateway Zone.

**MOTION:** Ms. Frost moved to approve the monument sign as designed. The motion was seconded by Mr. Armstrong and passed 6-1 with Mr. Keane being opposed.

**7. Other Business**

Mr. Black gave an overview of current planning projects and noted that the planning department has received a request for a compatibility statement for a pawn shop. Mr. Black asked the Planning Commission to grant a 30 day extension to allow for additional research.

Chair Bowen moved to grant an extension to Staff on the compatibility statement for a pawn shop to May 19, 2006. The motion was seconded by Ms. Frost and passed unanimously on voice vote.

**8. Adjourn**

Ms. Rosevear moved to adjourn. Motion was seconded by Ms. Frost and passed unanimously on voice vote.

Approved: 4/19/06 sm